

From: Mark Krebs <mekrebs@i1.net>
To: A17.A17(kwerbach)
Date: 3/30/96 9:17am
Subject: ACTA & Rulemaking No. 8775

Dear Mr. Werbach:

DOCKET FILE COPY ORIGINAL

I work for a regulated utility (natural gas) and I understand the vested mentality of the long-distance telcos' in this matter.

I believe there is a distinct parallel here to the FERC's "giga-NOPR" regarding restructuring of the electric utility mentality. Some sage advice⁽¹⁾ from FERC Commissioner Donald Santa therefore applies in his recent discussion of "stupid utility tricks." One of these was referred to as "I love competition; on my own terms" trick. This trick is manifested "with an announcement by the utility, accompanied by great fanfare, that it has seen the light and is embracing competition." Santa appropriately concludes "the line has to be drawn when the utility's plan for what it calls 'competition' perpetuates the monopoly powers that can be used to thwart true competition."

Sorting through the conflicting agendas and propaganda of stakeholders, as all jockey for position, can and should be guided by the following basic premises that have long provided the foundation of utility regulation:

Utility regulation only exists as a surrogate to competition, insuring that public interests are protected against natural monopolies while also insuring that these natural monopolies could earn a reasonable return-on-investment.

Natural monopolies only exist if there are no better alternatives and when they can clearly demonstrate declining marginal costs.

To the extent that the "invisible hand" of free enterprise can provide superior alternatives to natural monopolies in terms of consumer interests (i.e., more choice, lower costs, etc.), government in America is obliged to facilitate competition as competition is the basis of our free market economy.

Some other factors apply here as well:

- A. The ACTA's petition could violate the Bill of rights regarding free speech.
- B. The ACTA's petition could violate anti-trust provisions of the Sherman and/or Clayton Act

In addition, the ACTA's petition would stifle technological innovation and this Administration's goals regarding development of the "information superhighway." Consequently, I envision numerous Congressional (at a minimum) inquiries will be coming your way should your Agency feel compelled towards regulatory paternalism in this matter. Therefore, for your own sake and that of your duty to serve American society, I urge you to reject the ACTA's petition.

I can understand regulations governing the Internet to safeguard against illegal acts such as child pornography. However, the ACTA's petition has no redeeming virtue in it whatsoever.

Sincerely,

Mark E. Krebs

(1) Electricity Daily. Volume 5, No. 99, page 2. Monday, November 20, 1995

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CC:

A16.A16(rm8775)

From: <undgrnd@netpoint.net>
To: A16.A16(rm8775)
Date: 3/30/96 7:59pm
Subject: RM-8775

March 31, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

RE: Petition of America's Carriers Telecommunication Association
(RM-8775)

Dear Mr. Caton:

Pursuant to the procedures established in the Commission's Public Notice of March 25, 1996 (Report No. CC 96-10), entitled "Common Carrier Bureau Clarifies And Extends Request For Comment On ACTA Petition Relating To 'Internet Phone' Software and Hardware -- RM No. 8775", I am submitting this letter as my comments in RM-8775 and request that these comments be considered in that proceeding.

On March 4, 1996, America's Carriers Telecommunication Association ("ACTA") filed a "Petition for Declaratory Ruling, Special Relief, and Institution of a Rulemaking" relating to the provision of interstate and international interexchange telecommunications service via the Internet by non-tariffed, uncertified entities. ACTA alleges that providers of "Internet phone" software and hardware are operating as uncertified and unregulated common carriers, in contravention of FCC rules, and seeks three forms of relief. First, ACTA seeks a declaratory ruling from the Commission establishing the Commission's authority over interstate and international telecommunications services using the Internet. Second, ACTA asks the Commission for special relief to order named and unnamed respondents immediately to stop provisioning Internet phone software and hardware without complying with the regulatory requirements of the Communications Act applicable to interstate communications common carriers. Finally, ACTA urges the Commission to initiate a rulemaking proceeding to consider rules governing the use of the Internet for the provision of telecommunications services.

As a consumer and user of the Internet, I have a significant interest in the outcome of this proceeding, since any Commission action granting the ACTA Petition will significantly curtail the use of the Internet for innovative new uses by consumers, all in the name of protection of the private financial interests of certain well-established interexchange telephone common carriers. For this reason, I submit that my comments will materially assist the Commission in its resolution of this proceeding.

I vigorously oppose the grant of the ACTA Petition.

The public interest would be sorely disserved by grant of the ACTA petition, and, for this reason, I respectfully submit that the Petition should be expeditiously denied.

Respectfully submitted,

Nora Scandella Chambless
11425 S.W. 112th Terrace
Miami, Florida 33176 undgrnd@netpoint.net

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cc: wharris@fcc.gov (via email)

CC: J1.J1(wharris)

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From: Wiley, Coyote (John T) <jtwiley@ingr.com>
To: rm8775@fcc.gov <IMCEAX400-c=US+3Ba=+20+3Bp=INTERGR...
Date: 3/30/96 4:22pm
Subject: Comment on ACTA petition: John T. Wiley

APR 1 1996

To FCC via email rm8775@fcc.gov ref NewsBytes 29 Mar 96 article 9: FCC Still Ponders Internet Telephone Complaint

From John T. Wiley, concerned citizen

According to NewsBytes, ACTA's petition alleged that providers of Internet telephone software and hardware "are operating as uncertified and unregulated common carriers in contravention of FCC rules."

I oppose and refute the ACTA petition.

It is my opinion that signals (information) transmitted on the network via connections known as "internet" constitutes "directed solicited transactions" (my definition follows).

By "directed" I emphasize the point-to-point nature of these communications (each network transaction, however mediated, originates at one point, namely the end user or consumer), as opposed to "broadcast." That is, while the originator of content may intend to broadcast, each transaction is initiated by an end user establishing a connection and pulling specific information, not by content providers pushing information to end-users (consumers).

By "solicited" I mean to say the end user (consumer) must actively participate by originating a request for information. There is (at least) one drawback to my use of this term, namely that the consumer must rely on data labels which may be misleading (if a link, file, or directory name or other visible entry or index may be said to "represent" the content linked through it); nevertheless, I feel that the term suits this application since it is the apparent object or goal, and certainly it is the business, of network content providers, to accurately and meaningfully label such content.

By using the word "transactions" I intend to represent as broadly as possible the electronic or informational communication connection mechanisms which enable a content provider's apparently-intended information and its representations to be selected and received by the end user or consumer. This includes transport and interconnect logic, hardware and software to make, maintain and break connections, and network infrastructure; it does not necessarily include mechanisms for billing, logging, investigating, tracing, tracking, monitoring, or otherwise interfering with these communication connection mechanisms, as and to the extent that these are not specifically necessary to the mechanisms themselves.

I put forward the opinion that such "directed solicited transactions" are independent of a means of economic control (not to say there can't be such controls, just that such controls are not actually necessary, physically or logically, for the completion of such directed solicited transactions). It is my present understanding that this divorce of connection from charge is not a possible characteristic of common carriers; that is, I understand that logging, tracing, monitoring, etc., are by law and by physical and logical requirement built into the system of common-carrier commercial infrastructure. It is also my present understanding that this is not the case with the internet, and specifically with voice communications as they are today carried on the internet (if it were, the referenced petition would be unneeded, I suppose).

In short, the operations apparently inherent in common-carrier operation, are not inherent in the internet--not even in its operation. Such monitoring, etc., probably does exist in pieces for some parts of the internet, but it certainly is easily demonstrated to not exist for much if not most of the internet. I believe it is inappropriate, and perhaps not actually possible, to regulate a nonexistent activity or system. I also believe it is inappropriate to regulate--or at least over-regulate--commerce in the open market, and I believe the internet is a commercial market and marketplace.

On the other hand, I recognize the need to regulate public and government (publicly-owned) resources, and I suppose the FCC has been doing a pretty good job of that in its way.

I therefore recommend that the FCC continue to monitor internet commercial growth for opportunities to regulate that which might require regulation (contentions between content providers, for example, for network resources owned by

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the Government or by the People), and which may be regulated (for example resource allocation).

--Thank you.

--John T. Wiley

--jtwiley@ingr.com

--88 Buford Hughey Road

--Dellrose TN 38453-5005

CC: Wiley, Coyote (John T) <jtwiley@ingr.com>

RECEIVED

APR 4 1996

From: David Dwiggins <dmdwiggi@mailbox.syr.edu>
To: A16.A16(rm8775)
Date: 3/31/96 11:42pm
Subject: ACTA Internet Phone Petition

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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I am writing as a user of both the internet and traditional telecommunications services to express my concern over the currently pending petition regarding regulation of "Internet Telephony." This petition seeks to make communication of data over a computer network analagous to placing a telephone call with a private phone company. In fact, there are vast differences.

The principal reason for the regulation of phone service is to protect the consumer. Because it is recognized that traditional telephony requires an infrsctructure which cannot be duplicated by every single company wishing to p[articipate in the market, the government has stepped in to arbitrate between these companies and to insure that the companies involved do not treat consumers or each other unfairly in the process of competing for market share.

When we examine internet telephony, we discover a strange new landscape where the network infrastructure is already set up, and is equally accessible to every consumer. Because of this, the consumer is free to choose whichever communications system best meets his or her needs. If it is a videoconferencing application written by one company, so be it. If it is a telephony application written by another company, this is also fine. Because it is difficult for these companies to unfairly influence this choice, it is absolutely unnecessary for the goverment to regulate this form of communication.

In fact, this petition raises interesting constitutional issues. How does one distinguish between telephony and printed messages, for example.

Private e-mail is obviously private communication, clearly protected under the first amendment. How, then, is one to distinguish between a series of electrical pulses which represent text and a series of electrical pulses which represent someone's voice? Obviously it is ludicrous to make such a distinction.

One would question why it is necessary to even consider this issue. It becomes very obvious when we look at the sponsors of the petition.

America's Carriers Telecommunication Association (ACTA), which filed the petition, is made up of representatives of the traditional telecommunications industry. These industries could lose big if consumers are no longer limited to choosing huge companies with the money to invest in telephone infrastructure. They are looking ahead into the future, when traditional analog telephony will be entirely replaced by digital data transmission.

Their arguments are bizarre, and even ludicrous. They state, for example, that telecommunication service is being "given away," and that this is not in the interest of the consumer. To begin with, if reliable and effective telecommunications services were being given away, this would certainly be in the interest of the consumer. It cannot happen in a market economy, however, since it would be impossible to maintain any kind of a communications infrastucture by giving away the service.

This is what ACTA seems to conviently leave out of their petiton. Internet telecommunications services are not free. The user pays the initial cost for the encoding software, to be sure. This is roughly analagous to the purchase of a telephone (to make a comparison to today's system). The consumer still pays a monthly fee to a provider to allow access to the network which transmits the telephone call (analagous to the phone bill).

This "carrier" also pays fees to other providers for connectivity to internet backbones to transmit data accross the country.

The maintainers of the backbones charge a fee based on what it costs them to keep these backbones functional at the level demanded by the traffic they are receiving. Thus the entire system is goverened by supply and demand, and need not be regulated. This differs greatly from a traditional model of telecommunication, where physical electrical wires are at stake and must be regulated in order to protect the consumer.

ACTA justifies their clamor for regulation of the medium by stating that the internet is a finite medium, comparing it to the radio spectrum. This argument is absolutely wrong. The internet is not finite in the same way that radio spectrum is finite. The internet, by definition, can encompass an almost infinte number unique network paths between two points. If an existing backbone is overloaded, users will sense the slowdown and will either demand and get greater capacity, or will take their business to another provider who can provide more bandwidth on these critical pipelines. Adding more capacity between two points is as simple as laying another cable.

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ACTA's comparison of this issue to that of Cable Television regulation is also off base. Cable television was regulated because it essentially involved a governmentally-sanctioned monopoly. Furthermore, concerns about the viability of commercial and public stations in the wake of cable television are not applicable in today's issue, since it was the survival of these stations as communicators that was at issue, not the way in which their communication was transmitted. (These stations were not concerned with the viability of cable television as a communications medium; they only cared because the industry represented a threat to their ability to reach consumers. They were concerned as communicators, not as proponents of a communications medium.)

To be sure, the regulation of internet communication to create a fair marketplace for participants and a fair deal for the consumer should be an issue marked for study by the FCC. It is not necessary, however, for the FCC to interfere with the emerging technology of internet telephony at this stage. To begin with, the technology is still in a developmental stage. It is a crude technology, not widely supported, and is often unworkable using common internet access methods such as slow modems.

Because the technology is not a major player in the telecommunications marketplace, it is not necessary for the FCC to "grant special relief to maintain the status quo so that it might carefully consider what rules are required to best protect the public interest and to carry out its statutory duties."

In fact, were the commission to take this action, it would give an unfairly disadvantage emerging companies who are using proceeds from the sale of such experimental programs to finance research and development efforts. These efforts represent the future of telecommunications, and by restricting new entrants into the market, the commission would be giving a head start to large, established communications companies with already established research and development departments funded from traditional telecommunications providers.

It is my sincere hope that the commission will not attempt to apply current communications law to a revolutionary medium such as the internet. Instead,

I believe it is imperative that the agency consider what regulations are appropriate from the standpoint of the consumer, and will enact the regulations only after they have been publicly debated and discussed.

Sincerely,

David M. Dwiggins

Student, Syracuse University

School Address

400 Comstock Avenue, Box 90
Syracuse, NY 13210
315-443-0332

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7218 Minter Place
Takoma Park, MD 20912
301-270-3955

dmdwiggi@syr.edu

| e-mail - dmdwiggi@syr.edu

| WWW - <http://web.syr.edu/~dmdwiggi/newhp.html> |

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APR 1 1996

From: Partain <partain@revealed.net>
To: A16.A16(rm8775)
Date: 3/30/96 6:18am
Subject: Re: ACTA Petition

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

This is in response to the ACTA petition. Personally, I don't have the device or software to voice over the Internet, and chances are I'm not going to get it. I don't think the Long-Distance companies have a right to whine for preferential treatment. I think the Internet will soon replace a lot of the long-distance companies, as well as cable TV companies, VCR tape rental companies, Movie theaters, and most other forms of 'on-screen' entertainment. If you plan to support the telephone companies, I have one thing for you to consider: Why did nobody subsidize chain-driven class 8 trucks? (Answer: as soon as someone found a better way to do it, it became obsolete)
Thank you for your time

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1 APR 4 1996

From: Ken Zagzebski <zagz@ix.netcom.com>
To: A16.A16(rm8775)
Date: 3/30/96 3:15am
Subject: ACTA Petition

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

All the telcomms are doing is trying to get the FCC to regulate for the sake of regulation. There is no valid reason to regulate voice over the internet. Are we not trying to eliminate regulation altogether?! Deregulate the telcomms more instead. Telcomms are just worried that something may be threatening thier cash cow. They have never faced any serious competition before, and still clamor for protection from the government when they feel threatened. By that reasoning, why shouldn't internet service roviders get FCC protection when the telcomms start trying to horn in on their market? Throw that ACTA petition out!

Ken Z.

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APR 4 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

From: Chris McKulka <cmckulka@ix.netcom.com>
To: A16.A16(rm8775)
Date: 4/1/96 12:09am
Subject: ACTA petition re. voice transmission over the Internet

I wish to make known my opposition to the petition filed by the America's Carriers Telecommunications Association on March 4 that sought a ruling and a relief regarding the use of the Internet as a medium for the transmission of voice.

Although I personally do not use the Internet for voice transmission, at some point in the future I may wish to. It would seem the true motivation for the ACTA's petition is rooted in a fear of competition. The FCC mandate is ultimately to serve the consumer -- limiting competition and innovation does not serve the consumer.

The companies that have developed the technology that allows voice transmission over a medium as diverse and unreliable as the Internet should be commended, not legislated out of existence. Certainly transmission of data (voice or otherwise) over a packet network is far more effective than dedicating a fixed "channel" for the duration of the "conversation". This technology may play an important role in the development of voice networks in the future.

At the very least consumers should have the right to a choice. There are tradeoffs with Internet voice products -- let us decide to accept them or not. Please protect the consumer and promote innovation & competition by rejecting the ACTA's petition.

Sincerely,
Chris McKulka
90 Mirabeau Court
Rochester Hills, MI 48307

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From: Carlos Puchol <cpg@cs.utexas.edu>
To: A16.A16(rm8775)
Date: 3/29/96 8:23pm
Subject: ACTA petition to ban 'net voice communication

APR 4 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

i think it should be controlled, but not because it poses a threat to big-business long distance companies, but because voice traffic clogs the net and has potential to completely flood it. the net was not meant to be used for that purpose and it is weak against such ways of abusing the free flow of traffic.

thanks,

-- carlos puchol
-- p.o. box 7817
-- austin, tx 78713-78177

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From: James Quick <qbfa@fast.net>
To: A16.A16(rm8775)
Date: 3/29/96 8:52pm
Subject: ACTA Petition

APR 4 1996

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Regarding ACTA's petition to regulate voice communications on the Internet, please count me strongly opposed to any sort of government regulation of this medium.

Although I do not use the Internet for voice communications, I beleive that in an era of decreasing regulation, the FCC should be doing all that it can to promote new technologies.

Regards,

James Quick
47 Washington Street
Phillipsburg, NJ 08865

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FEDERAL COMMUNICATIONS COMMISSION
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From: Gloria Stern <af385@lafn.org>
To: A16.A16(rm8775)
Date: 4/1/96 4:46pm
Subject: Internet communications

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It is of vital interest to me to keep in touch with my family from whom I am at a distance away. Without the use of electronic communication, our contact could not have the frequency or immediacy provided by the use of the internet.

It is imperative that this form of communication be available to everyone. Our democracy needs free access to information and what better way than the "net"?

I am retired and a proud member of the Los Angeles Freenet.

Gloria Stern af385@lafn.org

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From: Jim Hart <jhart@h5.avcnet.org>
To: A16.A16(rm8775)
Date: 4/1/96 4:14pm
Subject: ACTA PETITION RELATING TO "INTERNET PHONE" SOFTWARE AND HARDWARE

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Isn't it interesting how the common carriers keep crying, "Deregulate, deregulate. Let the market decide." But, then, when a technology comes along that benefits consumers at their expense, they come crying to the government for regulatory protection. It seems only common sense and fairness that they can't have it both ways. Let them live with the consequences of their actions.

--
Jim Hart
107 Winter St.
Auburn, Maine 04210

"Working together, we _can_ make a difference."

CC: FCCMAIL.SMTP("avcnet@abacus.bates.edu")

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From: Love_GOD <bulldog@primenet.com>
To: A16.A16(rm8775)
Date: 4/1/96 3:28pm
Subject: FCC'S REQUEST FOR INPUT

APR 4 1996

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We see in the information superhighway a fresh opportunity to engage on a level playing field an entity that is "of the people, by the people, and for the people". Electronic communications via the world wide web should be considered TERRA NOVA and open to exploration and experimentation so that new models for the marketplace can be allowed to evolve. Government should resist the tendency to control and to exercise power along these as-yet uncharted terrains. In particular, government power exerted at the behest of communications companies intent on protecting longstanding monopolistic privileges would be a sad commentary on the faith the United States Consitution places in the ability and the right of the people to develop and to operate freely so long as the rights of others are not infringed.

The FCC should boldly accept the same principles to which our American forebears subscribed. The citizenry deserve to be treated as more than revenue generating devices, and government should remain mindful of the power's tendency to concentrate for the sole purpose of its own aggrandizement.

Keep the web free and open.

Sincerely, Cassandra von Braun

CC: FCCMAIL.SMTP("nine3@nine3.com")

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APR 4 1996

From: Jay Perkins <jay@lowrance.com>
To: 'rm8775@fcc.gov' <rm8775@fcc.gov>
Date: 4/1/96 3:15pm
Subject: Don't regulate Internet!!

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20541

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I think the tele-communications industry (i.e. AT&T, MCI) is mad because they didn't think of using "Internet" to xmit voice. Maybe they can come up with something better than Internet.....Isn't that what this country is about??

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APR 4 1996

STATE OF TEXAS
COMMISSION
OF INFORMATION

From: Glen Martin <glenmark@utxvms.cc.utexas.edu>
To: A16.A16(rm8775)
Date: 4/1/96 2:11pm
Subject: RE: ACTA Internet Phone Petition

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Dear Sirs,

I find the ACTA petition deeply disturbing for the following three reasons:

* Long-distance telephone providers are largely basing this petition on the premise on the basis that Internet telephony improperly deprives them of revenues. This is not the case, since the infrastructure of the Internet is controlled by these same companies and they thus derive revenues from all Internet usage.

* The restrictions called for by the petition are far too encompassing since they would restrict not only Internet telephony, but digital teleconferencing and digital "radio" applications: effectively any usage of the Internet which involves the digital transmission of sound.

* As a long-time user of the Internet (since 1987), I find these continued attempts to restrict freedom of Internet usage deplorable. Although the Internet has been in existence for approximately a quarter of a century, many of the elements of the Internet which are now playing a key role in its growth and popularity are still quite nascent, and excessive restrictions on Internet usage will only result in needless repression of innovation in the usage of this novel means of communication.

Thank you.
Glen Martin

The statements contained in the message are my own and are not meant to represent the views of my employer.

* Glen Mark Martin Phone: (512) 475-9311 *
* University of Texas at Austin E-Mail: glenmark@utxvms.cc.utexas.edu *
* Computation Center VMS/NT Services *
* Taylor 237, Mail Code G2700 *
* Austin, TX 78712 *
* World-Wide Web: <http://wwwvms.utexas.edu/~GLENMARK/index.html> *

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APR 1 1996

From: Ed Ewing <edewing@isomedia.com>
To: A16.A16(rm8775)
Date: 4/1/96 1:25pm
Subject: ACTA petition

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FEDERAL TELECOMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20541

It is interesting to me that ACTA is asking that the Net be regulated at a time when the FCC has opened up competition in the tele communication arena to unprecedented levels.

Please consider that it is the consumer who has paid the price of telephone monopoly in this country and not grant this petition at the expense of increased competition and innovation .

Thank you for extending the comment time on this issue.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

From: daniel gooch <gooch@dal.cleaf.com>
To: A16.A16(rm8775)
Date: 4/1/96 8:24am
Subject: Re: comments on ACTA petition

To: RM8775, FCC

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To the committee,

It has been brought to my attention that ACTA has requested additional charges be placed on users of transmission time bought in bulk from their members BASED UPON the USE that the transmissions are put to. The argument is that the users are bypassing regulations, the fact is that all regulations and fees are built into the charges ALREADY PAID for the use of the lines by the internet service providers to THE MEMBERS OF ACTA.

If indeed the rates for these leased lines should vary depending on content, then the rates for a long distance faxed message should be reduced by a similar amount as should any long distance charges to those accessing BBSs or other providers such as AOL, COMPUSERVE, PRODIGY, eWORLD, and all other online providers that charge customers, and pay a long distance premium for non-voice use TO THE MEMBERS OF ACTA.

The simple fact is that ACTA members no longer have a MONOPOLY on digital voice software and want the FCC to restrict ONE-ON-ONE USE of this technology at the rates paid to them for this leased access.

In effect they want the tariffs and fees placed on communications companies to apply twice to internet users: ONCE when the access is purchased and AGAIN when it is used for a ONE-ON-ONE voice call for which BOTH parties have already paid!

Sincerely,
Daniel J. Gooch

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From: The Gate <gate@id.WING.NET>
To: A16.A16(rm8775)
Date: 3/30/96 6:41pm
Subject: the bill

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APR 1 1996

U.S. DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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The bill is wrong-headed and we all know it.

from the gate and all involved, New Haven CT

Lee

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From: Eric Sven Ristad <ristad@CS.Princeton.EDU>
To: A16.A16(rm8775),FCCMAIL.SMTP("vice-president@white...
Date: 3/30/96 5:11pm
Subject: ACTA petition must be denied

RECEIVED

APR 1 1996

COMMUNICATIONS COMMISSION
TELETYPE ROOM

DOCKET FILE COPY ORIGINAL

Dear FCC and Vice President Gore,

I strongly urge that you deny the ACTA petition requesting the FCC to regulate internet voice communications. Any regulation of the internet based on data modality (eg., all voice communications) will be a severe disservice to the American public.

The principal reason for supporting FCC regulation of telecommunications companies is to prevent them from taking gross advantage of the American public by virtue of their de facto cartel on voice communications. For this very same reason -- to prevent a telecommunications cartel -- the FCC should encourage the fledgling market for internet voice communication to grow without regulation.

Be aware that I strongly support FCC regulation of broadcast medium.

Unlike the internet, the broadcast medium is a scarce resource. Each bandwidth can only be used by a single broadcaster at a given time.

And unlike the internet, the electromagnetic spectrum is a public resource, owned by all Americans. Broadcasters are provided with the temporary use of this scarce public resource, gratis. The federal government, acting as the elected representative of the American public, has an obligation to regulate the private use of this precious public resource. In contrast, internet communications are not scarce.

Allowing one user to transmit information to another user does not prevent anyone else from using the internet medium at the same time.

Therefore, it is clearly in the best interest of the American public for the FCC to promote the growth of internet communications, and to currently refrain from regulating it.

Sincerely,

Professor Eric Ristad
Department of Computer Science
Princeton University
35 Olden Street
Princeton, NJ 08544-2087

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APR 4 1996

From: Steve Rubenstein <rubens60@wharton.upenn.edu>
To: A16.A16(rm8775)
Date: 3/30/96 4:58pm
Subject: internet voice communications

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I am a senior at Wharton at Penn and founder of an Internet software company. To ban software products which allow voice communications over the Internet is not only ridiculous, but it also sets a terrible precedent.

Why it is stupid:

It is ironic that all of these billion-dollar companies, which are beginning to offer Internet access in competition with hundreds of smaller companies, are at the same time asking that those same smaller companies not be able to compete with them. Solution: ban the telecom companies from the Internet access market, or tell them to accept reality.

Why it is a terrible precedent:

It is possible to download audio and video clips from the Internet. It is also possible to play these in real-time, e.g., streamable audio which can be used for a concert broadcast. A precedent of banning voice transfer (which is just another form of data) could lead radio and tv broadcasters to ask that such audio and video application on the Internet be banned since they also offer a similar service, yet are not subject to FCC control.

I beg you not to listen to these billion-dollar cry-babies who spend more on lobbying the FCC alone each month than their competition earns in revenues all year.

Steven Rubenstein

CC: Steve Rubenstein <rubens60@wharton.upenn.edu>

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From: Julian H. Breen <breen@ix.netcom.com>
To: A16.A16(rm8775)
Date: 3/31/96 7:04pm
Subject: ACTA Petition Regarding Telephony on the Internet

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To the Commission:

The purveyors of an old technology when confronted with a new technology always react the same way. They attempt to have the new technology prohibited.

However, the new technology always ultimately prevails and the purveyors of the old technology either embrace it, compete with it, or die.

The FCC should not get involved in attempting to regulate what is essentially unregulatable-- attempting to determine which zeros and ones constitute voice or some other prohibited transmission on the internet which is, after all, international.

A better use of the Commission's power and influence is to pressure ACTA's members to make ISDN universally available at very low cost.

Cordially,

Julian H. Breen

++++++
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